

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LESLIE A. SCHULZ,

Defendant.

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Case No. 8:13CR347

ORDER

This matter is before the court on the defendant Leslie A. Schulz's Motion for Disclosure of Evidence & Continuance of Pre-Trial Deadline on U.S. Attorney Office Failure to Tender Discovery (#20). Defendant moves the court for an order compelling the government to produce:

1. All tax returns, elections, amendments, corrections, assessments or other correspondence regardless of title or form of transmission filed or transmitted by or on behalf of Mr. Long and the Long clients whose tax returns are the subject of this present case, which were filed in any of the five preceding or three subsequent tax years as measured from the returns prepared by Mr. Schulz,
2. A summary of all expert reports which might be offered pursuant to Federal Rules of Criminal Procedure 16(a)(i)(G); and
3. All relevant oral statements and written or recorded statement of Defendants Long and Schulz and any of the eight Long clients.

The government has not responded. The motion is granted in part, and denied in part.

The motion is granted as to the nine tax returns listed on page eight of the September 25, 2013 Indictment (#1). It seems obvious, based upon the allegations in the

indictment, the tax returns are critical documents, form the basis of the government's charges, and may well contain exculpatory material.

The remainder of the defendant's motion involving tax returns not mentioned above, his request for a summary of all expert reports, and disclosure of relevant oral statements and written or recorded statements of defendants Long and Schulz and any of the eight Long clients, is denied. However, the government is reminded that in all criminal cases it has a discovery obligation under the Federal Rules of Criminal Procedure and existing case law to make a timely and complete disclosure of certain information.

IT IS ORDERED:

1. Defendant's Motion for Disclosure of Evidence & Continuance of Pre-Trial Deadline on U.S. Attorney Office Failure to Tender Discovery (#20) is granted in part as to all tax returns listed on page eight of the September 25, 2013 Indictment (#1), and denied as to all other requests.

2. The government shall produce the tax returns on or before **December 31, 2013**.

Dated this 17th day of December 2013.

BY THE COURT:

s/ F.A. Gossett, III
United States Magistrate Judge